UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOAN ARIEL COMAS JOA

AKA: JOAN A. COMAS JOA, JOAN COMAS, JOAN ARIEL COMAS, JOAN A. COMAS,

JOAN COMAS JOA

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III CHAPTER 13 TRUSTEE

Movant CASE NO: 5-17-00882-JJT

VS.

JOAN ARIEL COMAS JOA AKA: JOAN A. COMAS JOA, JOAN COMAS, JOAN ARIEL COMAS, JOAN A. COMAS, JOAN COMAS JOA

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

COMES NOW, on August 16, 2018, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case in accordance with 11 U.S.C. Section 1307(c), due to material default by the debtor(s) with respect to the terms of the plan.

Notice of conference, hearing and other instructions are included with this Motion.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case in accordance with 11 U.S.C. Section 1307(c).

Respectfully submitted,

s/ Charles J. DeHart, III Charles J. DeHart, III, Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 Phone: (717) 566-6097

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOAN ARIEL COMAS JOA

AKA: JOAN A. COMAS JOA, JOAN

COMAS, JOAN ARIEL COMAS, JOAN A.

COMAS, JOAN COMAS JOA

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III CHAPTER 13 TRUSTEE Movant CASE NO: 5-17-00882-JJT

NOTICE

NOTICE IS HEREBY GIVEN THAT Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to make timely payments pursuant to your Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a CONFERENCE before the Trustee and a HEARING with the Court have been scheduled on this motion. Any matters not resolved at the Trustee's Conference shall be heard at the dismissal hearing to be held as stated below:

CONFERENCE before Trustee:

HEARING:

September 18, 2018 at 9:00 am U.S. Bankruptcy Court Max Rosenn U.S. Courthouse 197 S. Main Street Wilkes Barre, PA

September 18, 2018 at 09:35 AM U.S. Bankruptcy Court Max Rosenn U.S. Courthouse 197 S. Main Street Wilkes Barre, PA

YOU ARE FURTHER NOTICED that you MUST attend the conference or dismissal hearing unless one of the following takes place.

1. You have paid the following and have confirmed payment with Trustee DeHart's office.

AMOUNT DELINQUENT AS OF LAST MONTH: \$ 524.00 AMOUNT DUE FOR THIS MONTH: \$262.00 TOTAL AMOUNT DUE BEFORE CONFERENCE/HEARING DATE: \$786.00

NOTE:

ALL payments must be made by CERTIFIED CHECK, MONEY ORDER or through TFSBILLPAY.COM. NO PERSONAL CHECKS OR CASH WILL BE ACCEPTED!

DO NOT send your payments REGISTERED, CERTIFIED, FEDERAL EXPRESS, UPS, or by any other special delivery service. Doing so will delay processing of your payment and **may result in dismissal of your case.**

If submitting payment by U.S. First Class Mail mail to: CHARLES J. DEHART, III, PO BOX 7005, LANCASTER, PA 17604 If **submitting payment using TFSBILLPAY.COM** please **allow 5 business days** for payment to be applied.

- 2. You have entered into a valid stipulation with Trustee DeHart and that stipulation has been filed with the Court, or
- 3. You have filed a voluntary conversion or a voluntary case dismissal with the U.S. Bankruptcy Court and have served a copy of that motion upon Trustee DeHart.

FAILURE TO COMPLY WITH THE ABOVE WILL RESULT IN YOUR CHAPTER 13 CASE BEING CALLED FOR DISMISSAL HEARING WITH THE COURT ON THE DATE AND TIME AS SPECIFIED IN THIS NOTICE. THIS MAY RESULT IN DISMISSAL OF YOUR CASE.

Charles J. DeHart, III, Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 Phone: (717) 566-6097

Dated: August 16, 2018

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOAN ARIEL COMAS JOA

AKA: JOAN A. COMAS JOA, JOAN COMAS, JOAN ARIEL COMAS, JOAN A. COMAS, JOAN COMAS

JOA

CHAPTER 13

Debtor(s)

CASE NO: 5-17-00882-JJT

CHARLES J. DEHART, III CHAPTER 13 TRUSTEE Movant

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on August 16, 2018, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

TULLIO DELUCA, ESQUIRE 381 N 9TH AVENUE SCRANTON, PA 18504Served electronically

JOAN ARIEL COMAS JOA 737 GARFIELD ST. HAZLETON, PA 18201

Served by 1st Class Mail

United States Trustee 228 Walnut Street Suite 1190 Harrisburg, PA 17101

Served electronically

I certify under penalty of perjury that the foregoing is true and correct.

Date: August 16, 2018 Liz Joyce

for Charles J. DeHart, III, Trustee

Suite A, 8125 Adams Dr. Hummelstown, PA 17036 Phone: (717) 566-6097

eMail: dehartstaff@pamd13trustee.com

UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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ORDER DISMSSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.